

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10528-RCL

DENISE M. BARRY and JANE B.
GREEN,
Plaintiffs,

v.

ROBERT J. MORAN, PAUL A.
CHRISTIAN, WILLIAM
KESSLER, WILLIAM
HITCHCOCK, CITY OF BOSTON
FIRE DEPARTMENT, and JOHN
and/or JANE DOES 1-50.
Defendants.

DEFENDANTS' ASSENTED-TO MOTION
TO ENLARGE TIME TO FILE RESPONSIVE PLEADINGS
PURSUANT TO FED.R.CIV.P. 6(B) TO PLAINTIFFS' SECOND AMENDED
COMPLAINT

NOW COME the Defendants, who respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file responsive pleadings. As grounds for his motion, the Defendants state that:

1. Defendants' Answers to Plaintiffs' Second Amended Complaint are due on October 16, 2006;
2. Undersigned counsel requires additional time to draft Defendants' Responsive Pleadings to Plaintiffs' lengthy Second Amended Complaint;
3. The Plaintiff has assented to the Defendants' request for more time to file such Answers (Rule 7.1 certification included below);

4. The Defendants request a brief extension until October 30, 2006, to file responses to Plaintiff's Complaint; and,
5. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file said Answers to Plaintiff's Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before October 30, 2006.

Respectfully submitted,

DEFENDANTS WILLIAM KESSLER,
WILLIAM HITCHOCK, CITY OF BOSTON
FIRE DEPARTMENT, PAUL A.
CHRISTIAN, ROBERT J. MORAN,

William F. Sinnott
Corporation Counsel

By their attorney:

/s/ Helen G. Litsas

Helen G. Litsas
Assistant Corporation Counsel
BBO# 644848
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4023 (Litsas)

7.1 Certification

Undersigned counsel certifies that on October 13, 2006, pursuant to LR, D. Mass. 7.1(a)(2), she spoke with Plaintiff's counsel, Thomas Feeney, Esq., who assented to the Defendants' request for more time to file responsive pleadings.

10/13/06
Date: _____

/s/ Helen G. Litsas

Helen G. Litsas, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of this document was served upon counsel of record for the Plaintiff via U.S. Mail to 39 Sheafe Street, Suite 1, Chestnut Hill, MA 02467.

10/13/06
Date: _____

/s/ Helen G. Litsas

Helen G. Litsas, Esq.